

February 11, 2019

Waiver for sponsors to not conduct first week site visits for sites in good standing

Vermont Agency of Education Child Nutrition Programs is submitting this waiver request to continue the rescinded waiver originally offered through SFSP 12-2011, *Waiver of Site Monitoring Requirements in the Summer Food Service Program*, April 5, 2011. This waiver would allow sponsors to waive the requirement to conduct site visits during the first week of program operations if they are returning sites that operated successfully during the previous summer and had no serious deficiency findings.

- 1. State agency submitting waiver request and responsible State agency staff contact information:** Vermont Agency of Education, Child Nutrition Programs, Jamie Curley, Jamie.curley@vermont.gov, 802-479-1207
- 2. Region:** Northeast
- 3. Eligible service providers participating in waiver and affirmation that they are in good standing:** Vermont is requesting a statewide waiver. As of Summer 2018, Vermont had 59 sponsors and 290 sites. All of these sponsors are in good standing.
- 4. Description of the challenge the State agency is seeking to solve, the goal of the waiver to improve services under the Program, and the expected outcomes if the waiver is granted. [Section 12(l)(2)(A)(iii) and 12(l)(2)(A)(iv) of the NSLA]:** Sponsors usually have only one staff member who conducts site-visits. Requiring sponsors to visit all of their sites in the first week of operation may mean that they need to hire more staff for this one task, or that they spend less time at each site and render less technical assistance and oversight. It might also discourage sponsors from adding additional sites, reducing program access. Granting this waiver will reduce the burden on sponsors, allowing them to focus their first week energy on areas that require more attention, such as sites that had issues in the previous summer. If the waiver were granted, sponsors will still need to conduct site monitoring.
- 5. Specific Program requirements to be waived (include statutory and regulatory citations). [Section 12(l)(2)(A)(i) of the NSLA]:** 7 CFR 225.15(d)
- 6. Detailed description of alternative procedures and anticipated impact on Program operations, including technology, State systems, and monitoring:** Under the now rescinded waiver, returning sites in good standing were not required to receive monitoring visits within the first week of operation. We would like to continue this practice. The state will continue to check that monitoring has occurred when we conduct our reviews, and will continue to stress the importance of monitoring during the annual training provided to sponsors. If the waiver is granted, we do not think it will have a significant impact on program operations, as this has been our practice in past years under the old waiver. If the waiver is not granted, we expect that some programs will drop the number of sites or start some sites later in the

summer to allow all of the required monitoring to take place, which would reduce program access.

- 7. Description of any steps the State has taken to address regulatory barriers at the State level. [Section 12(l)(2)(A)(ii) of the NSLA]:** During the mandatory, annual sponsor training, the state agency has stressed the importance of conducting first week visits for sites the sponsor has determined to be “problem” sites for whatever reason. The SA has emphasized the importance of the “4-week” Onsite Monitoring visit, specifically completing it within the necessary timeframe to address any problems as soon as possible. The state agency assesses monitoring visit forms during the administrative review and will continue to do so.
- 8. Anticipated challenges State or eligible service providers may face with the waiver implementation:** As this waiver request is to continue a past-approved flexibility, we do not foresee any additional challenges implementing it; it would be more of a challenge to remove it.
- 9. Description of how the waiver will not increase the overall cost of the Program to the Federal Government. If there are anticipated increases, confirm that the costs will be paid from non-Federal funds. [Section 12(l)(1)(A)(iii) of the NSLA]:** As this is a continuing waiver, we do not foresee any additional costs in extending it.
- 10. Anticipated waiver implementation date and time period:** Summer 2019 (June through September) with the option of extending to future summers if allowable.
- 11. Proposed monitoring and review procedures:** Sponsors are still required to conduct monitoring visits for all sites within the first four weeks of operation. This visit is sufficient to maintain integrity and to ensure sites comply with all regulations.
- 12. Proposed reporting requirements (include type of data and due date(s) to FNS):** Vermont can report the number of sponsors with returning sites at the end of each summer. We can collect copies of their 4-week On-Site Monitoring Forms. We can report the number of meals served by these sponsors. This information can be reported by December 2019, as November 29 is the last day to file a September claim for reimbursement.
- 13. Link to or a copy of the public notice informing the public about the proposed waiver [Section 12(l)(1)(A)(ii) of the NSLA]:**
<https://education.vermont.gov/student-support/nutrition>
- 14. Signature and title of requesting official:**

Rosie Krueger
Assistant Director
Child Nutrition Programs
Vermont Agency of Education

Phone: 802-479-1246

Fax: 802-479-1822

Mailing Address: 219 North Main Street, Suite 402, Barre, VT 05641

Email: Mary.Krueger@Vermont.gov

Title: Assistant Director

Requesting official's email address for transmission of response:

Mary.Krueger@Vermont.gov

TO BE COMPLETED BY FNS REGIONAL OFFICE:

FNS Regional Offices are requested to ensure the questions have been adequately addressed by the State agency and formulate an opinion and justification for a response to the waiver request based on their knowledge, experience and work with the State.

Date request was received at Regional Office:

- ☐ **Check this box to confirm that the State agency has provided public notice in accordance with Section 12(l)(1)(A)(ii) of the NSLA**

• Regional Office Analysis and Recommendations: